

# Town of North Hempstead



*Chairman*  
David L. Mammina, R.A., A.I.A.

*Members*  
Donal McCarthy, Esq.  
Paul Aloe, Esq.  
Leslie Francis, Esq.  
David I. Levine, Esq.

## Board of Zoning Appeals

210 Plandome Road  
Manhasset, NY 11030  
(516) 869-7667  
Fax (516) 869-7812

### NOTICE OF DECISION

**APPEAL #20000 - Jared Dalton**, variances 70-39.B, 70-103.A & 70-41.A to construct a one & two-story addition, & front porch exceeding permitted floor area, with insufficient parking, & minimum & aggregate side yard setbacks; W/side #21 Leeds Dr., 300' S/of Luquer Rd., Port Washington, Sec. 5, Blk. F, Lot 962, R-B District.

**WHEREAS**, an application (15-103374) was filed with the Board of Zoning Appeals and a public hearing was held following due notice, at a meeting of the Board held on **JULY 15, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED**, of the dimension and in the location shown on drawings prepared by Harold E. Gebhard, R.A., dated August 14, 2014 and revised through July 5, 2015.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Vice Chairman McCarthy      Seconded by: Member Levine  
Aye: Member Francis, Member Levine, Vice Chairman McCarthy, Chairman Mammina  
Absent: Member Aloe

  
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**JONATHAN P. FIELDING**  
**SECRETARY**

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### NOTICE OF DECISION

**APPEAL #20027 - Debra Capolarello**, variance 70-100.2.K to install a generator exceeding the maximum distance from the subject dwelling; NW/cor. 79 Village Rd. and The Mall, Manhasset, Sec. 3, Blk. 219, Lot 1, R-A District.

**WHEREAS**, an application (15-104364) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **JULY 15, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED**, of the dimension and in the location shown on a site plan submitted to the Board on June 2, 2015.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Vice Chairman McCarthy      Seconded by: Member Levine  
Aye: Member Levine, Member Francis, Vice Chairman McCarthy,  
Chairman Mammina  
Absent: Member Aloe

  
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### NOTICE OF DECISION

**APPEAL #20028 - Peter Kruskopfs**, variance 70-50.A to maintain an enclosed porch and portico within a required front yard setback; W/side 50 Irma Ave., 531.87' N/of Mullon Ave., Port Washington, Sec. 5, Blk. 18, Lot 151, R-C District.

**WHEREAS**, an application (15-104520) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **JULY 15, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED**, of the dimension and in the location shown on a survey prepared by Frank Galluzzo, P.L.S., dated May 12, 2015 and drawings prepared by Donald Alberto, R.A., dated May 22, 2015.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Levine                      Seconded by: Vice Chairman McCarthy  
Aye:            Member Levine, Member Francis, Vice Chairman McCarthy, Chairman Mammina  
Absent:        Member Aloe

  
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## **NOTICE OF DECISION**

**APPEAL #20031 - Gina Singh**, variance 70-100.2.A(4).B to install and maintain fencing exceeding the permitted height; E/side 1724 New Hyde Park Rd., 570' S/of Oak Dr., New Hyde Park, Sec. 8, Blk. 211-3, Lot 26, R-C District.

**WHEREAS**, an application (15-104023) was filed with the Board of Zoning Appeals, a public hearing was held following due notice, at a meeting of the Board held on **JULY 15, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED**, of the dimension and in the location shown on a site plan received by the Board on May 20, 2015, for a period of time expiring the earlier of July 15, 2025 or such time as the applicants no longer reside at the property.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Vice Chairman McCarthy      Seconded by:      Member Levine  
Aye:      Member Levine, Member Francis, Vice Chairman McCarthy, Chairman Mammina  
Absent:      Member Aloe

  
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## **NOTICE OF DECISION**

**APPEAL #20032 – Alexander Mendez**, variance 70-50.C to maintain a raised terrace in a required front yard setback; S/side #151 Birchwood Dr., 831.78' W/of Betty Rd., New Hyde Park, Sec. 9, Blk. 564, Lot 13, R-C District.

**WHEREAS**, an application (15-104356) was filed with the Board of Zoning Appeals and a public hearing was held following due notice; at a meeting of the Board held on **JULY 15, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED**, of the dimension and in the location shown on a survey prepared by Donal A. O'Buckley, L.L.S., dated March 5, 2015 and on drawings prepared by Norman C. Lok, P.E., dated December 2, 2014.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Levine

Seconded by: Member Francis

Aye: Member Levine, Member Francis, Vice Chairman McCarthy, Chairman Mammina

Absent: Member Aloe

  
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### NOTICE OF DECISION

**APPEAL #20034 – Joanne Del Vecchio**, variances 70-100.2.A(2), 70-100.2.A(4) & 70-231 to maintain a mother/daughter residence with fencing forward of front building line and exceeding permitted height, exceeding permitted floor area for an accessory apartment, exceeding permitted kitchen area, having an exterior entrance, exterior stairway to a second floor and a deck attached to a floor above ground level; N/side #247 Roslyn Ave., 100' W/of Silver Lake Blvd., Carle Place, Sec. 10, Blk. 5, Lot 39, R-C District.

**WHEREAS**, applications (14-110928 & 15-102848) were filed with the Board of Zoning Appeals and a public hearing was held following due notice, at a meeting of the Board held on **JULY 15, 2015**, the appeal in the above entitled matter was decided as follows:

The variances requested from §§ 70-100.2.A(2) and 70-100.2.A(4) were **WITHDRAWN** by the applicant at the hearing. With respect to the variances sought from section 70-231 and the conditional use permit for a mother/daughter use is hereby **GRANTED**, of the dimension and in the location as shown on drawings prepared by William J. Cook, R.A., dated December 7, 2014, **SUBJECT TO THE CONDITIONS IN THE ATTACHED RIDER.**

### SEE ATTACHED RIDER

No building permit shall issue until plans, including floor plans for the first floor, conforming to this decision prepared, signed and sealed by a registered architect or professional engineer are submitted to the Board.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Vice Chairman McCarthy      Seconded by: Member Francis  
Aye:      Member Levine, Member Francis, Vice Chairman McCarthy, Chairman Mammina  
Absent:      Member Aloe

  
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# **Board of Zoning Appeals**

## **Town of North Hempstead**

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**Rider to Appeal # 20034**

**Joanne Del Vecchio**

**N/side of #247 Roslyn Ave., 100' W/of Silver Lake Blvd., Carle Place**

**Section: 10 Block: 5 Lot: 39**

1. That the applicant shall remove the exterior stairs to the second floor and eliminate the second floor exterior entrance;
2. The dwelling shall continue to maintain the character of a one-family dwelling.
3. That the dwelling shall be serviced by a single meter for each utility supply.
4. That all interior alterations shall be in compliance with the N.Y.S. Uniform Fire Prevention and Building Code.
5. The Town attorney will prepare a Declaration of Restrictive Covenant which must be signed by the Owner(s) of the premises. The Declaration states that the use of the premises as a mother-daughter residence is limited to the owner(s) and their immediate family, and that the premises may not be sold as a two-family dwelling.



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## NOTICE OF DECISION

**APPEAL #20038 – Ricky Ramsumair**, variance 70-50.C to maintain a dwelling having an insufficient front yard setback; S/side #30 Fourth Ave., 510' W/of Sixth St., Westbury, Sec. 11, Blk. 112, Lot 933, R-C District.

**WHEREAS**, an application (15-104605) was filed with the Board of Zoning Appeals and a public hearing was held following due notice, at a meeting of the Board held on **JULY 15, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED**, of the dimension and in the location shown on a survey prepared by Ramzan Alli, L.L.S., dated March 3, 2015 and on drawings prepared by Jung Y. Shin, P.E., dated March 12, 2015.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Francis                      Seconded by: Vice Chairman McCarthy  
Aye:                      Member Francis, Member Levine, Vice Chairman McCarthy, Chairman Mammina  
Absent:                      Member Aloe

  
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## **NOTICE OF DECISION**

**APPEAL #20039 - Robert Ellinger**, variances 70-103.A and 70-208.F to construct alterations to convert a non-conforming retail space to a food use with insufficient parking; N/side 91 Main St., 118.02' W/of Irma Ave., Port Washington, Sec. 5, Blk. D, Lot 501, B-B District.

**WHEREAS**, an application (15-104670) was filed with the Board of Zoning Appeals, a public hearing was held following due notice, at a meeting of the Board held on **JULY 15, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED**, of the dimension and in the location shown on drawings prepared by Edward Paul Butt, R.A., dated May 1, 2015 and revised through May 20, 2015.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by:	Member Francis	Seconded by:	Member Levine
Aye:	Member Levine, Member Francis, Member Aloe, Vice Chairman McCarthy, Chairman Mammìna		
Absent:	Member Aloe		

  
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## **NOTICE OF DECISION**

**APPEAL #20040 – Mark Mancini (Applicant)/Persian Grill Corp. (Owner)**, conditional use 70-187.Q and 70-225.B(7)(a) to alter kitchen equipment in an existing restaurant; E/side 210 Mineola Ave., 124.62' N/of Powerhouse Rd., Roslyn Heights, Sec. 7, Blk. G, Lot 964, I-B District.

**WHEREAS**, an application (15-104229) was filed with the Board of Zoning Appeals and a public hearing was held following due notice, at a meeting of the Board held on **JULY 15, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED**, of the dimension and in the location shown on drawings prepared by Mark Anthony Mancini, R.A., dated September 12, 2014 and revised through April 27, 2015 and a survey prepared by Charels J. Gravano, L.L.S., dated November 25, 2012.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Levine

Seconded by: Vice Chairman McCarthy

Aye: Member Francis, Member Levine, Vice Chairman McCarthy, Chairman Mammina

Absent: Member Aloe

  
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### NOTICE OF DECISION

**APPEAL #20041 – Eben-Ezer Haitian Baptist Church of Westbury**, variances 70-48, 70-49, 70-101.B, 70-52 & 70-103.A(1) to construct a church exceeding permitted lot coverage, floor area and front yard encroachments, with insufficient rear yard setback and off-street parking; NW/cor. #859 Prospect Ave. & Garden St., Sec. 11, Blk. 2, Lots 48, 49 & 50, R-D District.

**WHEREAS**, an application (15-102132) was filed with the Board of Zoning Appeals and a public hearing was held following due notice, at a meeting of the Board held on **JULY 15, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED**, of the dimension and in the location shown on drawings prepared by Angelo F. Corva, R.A., dated June 6, 2014 and revised through December 8, 2014 and a survey prepared by Daniela Nicoletti-Rocca, L.L.S., dated June 11, 2009.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by:	Member Francis	Seconded by:	Vice Chairman McCarthy
Aye:	Member Francis, Member Levine, Vice Chairman McCarthy, Chairman Mammina		
Absent:	Member Aloe		

  
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**APPEAL #20042 - BP Products North America, Inc.**, variance 70-196.K(4) to install and maintain signage exceeding the permitted area; S/E/cor. 2298 Jericho Tpke., and Nassau Blvd., Garden City Park, Sec. 33, Blk. 518, Lot 13, I-B District.

**WHEREAS**, an application (15-104062) was filed with the Board of Zoning Appeals and a public hearing was held following due notice, at a meeting of the Board held on **JULY 15, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED**, of the dimension and in the location shown on drawings prepared by Christopher Mark Tartaglia, P.E., dated December 2, 2014 and revised through April 25, 2015.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Vice Chairman McCarthy      Seconded by: Member Francis  
Aye: Member Francis, Member Levine, Vice Chairman McCarthy, Chairman Mammina  
Absent: Member Aloe

  
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## NOTICE OF DECISION

**APPEAL #20043 – Peter Teemsma**, variances 70-40.A & 70-41.A to construct a second story addition to a dwelling with insufficient front and side yard setbacks; N/side #63 Laurel Dr., 75' E/of Major Ln., New Hyde Park, Sec. 8, Blk. 307, Lot 4, R-B District.

**WHEREAS**, an application (15-105077) was filed with the Board of Zoning Appeals and a public hearing was held following due notice; therefore, at a meeting of the Board held on **JULY 15, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED**, of the dimension and in the location shown on drawings prepared by Emilio Susa, R.A., dated March 31, 2015.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Levine

Seconded by: Member Francis

Aye: Member Levine, Member Francis, Vice Chairman McCarthy, Chairman Mammina

Absent: Member Aloe

  
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